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INTERVENTION

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BEFORE THE ARIZONA CORPORATION COMMISSION

2009 FEB 17 P 1:24 Arizona Corporation Commission

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FEB 17 2009

DOCKETED BY

COMMISSIONERSKRISTIN K. MAYES - CHAIRMAN
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMPIN THE MATTER OF THE APPLICATION OF)
THE SOLAR ALLIANCE FOR A)
DECLARATORY ORDER THAT PROVIDERS OF)
CERTAIN SOLAR SERVICE AGREEMENTS)
WOULD NOT BE PUBLIC SERVICE)
CORPORATIONS.)

DOCKET NO. E-20633A-08-0513

MOTION TO INTERVENE

Tucson Electric Power Company ("TEP") and UNS Electric, Inc. ("UNS Electric"), collectively referred to as "the Companies", through undersigned counsel and pursuant to A.A.C. R14-3-105, hereby move the Arizona Corporation Commission ("Commission") for an order allowing TEP and UNS Electric to intervene in the above captioned proceeding. In support hereof, TEP and UNS Electric state as follows:

1. TEP is an Arizona public service corporation that provides electric service to customers within the State of Arizona.

2. UNS Electric is an Arizona public service corporation that provides electric service to customers within the State of Arizona.

3. TEP and UNS Electric are owners, operators and/or purchasers of renewable energy. The Companies have long been recognized as leaders in environmental protection and renewable energy. TEP has used landfill gas as a renewable energy source since 1999 and has owned the most productive solar array in the western hemisphere for several years at Springerville with 4.6 MW. In 2008, TEP was ranked among the nation's "Top 10 Solar Integrated Utilities" by the Solar Electric Power Association ("SEPA"). Additionally, TEP and UNS Electric have been running one of the most unique green pricing programs in the nation, the

1 GreenWatts Program, where all revenues go toward building community solar systems at non-
2 profit locations.

3 4. In this Docket, The Solar Alliance ("Solar Alliance") has filed with the
4 Commission an application for a declaratory order that providers of certain solar service
5 agreements would not be public service corporations, pursuant to Article 15, Section 2 of the
6 Arizona Constitution.

7 5. TEP and UNS Electric are directly and substantially affected by the outcome of
8 Solar Alliance's Application relating to providers of solar service agreements because it may set
9 precedent or policy that could affect TEP's and UNS Electric's solar policies and practices.

10 6. No other party can adequately represent the interests of TEP and UNS Electric in
11 this Docket. TEP's and UNS Electric's involvement in this case will not broaden the issues of
12 Solar Alliance's Application, nor will it unduly prejudice Solar Alliance or any other interests.

13 7. Service of all correspondence, documents or pleadings should be made to counsel
14 for TEP and UNS Electric as follows:

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1 WHEREFORE, for all the foregoing reasons, TEP and UNS Electric respectfully request
2 that the Presiding Administrative Law Judge issue an order granting this Motion to Intervene.

3 RESPECTFULLY SUBMITTED this 17th day of February 2009.

4 TUCSON ELECTRIC POWER COMPANY
5 UNS ELECTRIC, INC.

6 By Michelle Livengood

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18 UNS Electric, Inc.

19 Original and 13 copies of the foregoing
20 filed this 17th day of February 2009 with:

21 Docket Control
22 Arizona Corporation Commission
23 1200 West Washington Street
24 Phoenix, Arizona 85007

25 Copy of the foregoing hand-delivered/mailed
26 this 17th day of February 2009 to:

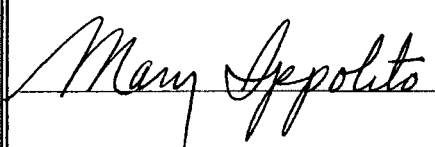
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